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CENTRAL FAX CENTERREMARKS

SEP 06 2006

Claims 21, 22, 24, and 27-43, are pending in this application. By this Amendment, Applicant has cancelled Claims 23 and 25, without prejudice, Applicant has added new Claims 42 and 43, and Applicant has amended Claims 21, 22, 33, 36, and 41. Applicant has amended each of independent Claims 21 and 41 so as to more clearly distinguish the present invention, as defined by each of independent Claims 21 and 42, over the prior art.

Applicant respectfully submits that the amendments to each of Claims 21, 22, 33, 36, and 41 do not contain new matter. Applicant further submits that the newly added Claims 42 and 43 do not contain new matter. Applicant respectfully submits that the present invention, as defined by Claims 21, 22, 24, and 27-43, is patentable over the prior art.

Applicant has also deleted the Abstract of the Disclosure and has substituted therefor the new Abstract of the Disclosure which is attached hereto on a separate sheet. Applicant respectfully submits that the new Abstract of the Disclosure does not contain new matter.

Based on the foregoing amendments and the following Remarks, the application is deemed to be in condition for allowance and action to that end is respectfully requested.

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CENTRAL FAX CENTERI. THE 35 U.S.C. §103 REJECTIONS:

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The Examiner asserts that Claims 21-25, 27-31, 33, 34, and 36-41, are rejected under 35 U.S.C. §103(a) as being unpatentable over Radican, U.S. Patent No. 6,148,291 (Radican) in view of Wilk, U.S. Patent No. 6,046,678 (Wilk). The Examiner also asserts that Claims 32 and 35 are rejected under 35 U.S.C. §103(a) as being unpatentable over Radican in view of Camhi, U.S. Patent No. 5,825,283 (Camhi). Lastly, the Examiner asserts that Claim 33 is rejected under 35 U.S.C. §103(a) as being unpatentable over Radican in view of Takizawa, U.S. Patent No. 6,610,954 (Takizawa).

As noted above, Applicant has cancelled Claims 23 and 25, without prejudice, Applicant has added new Claims 42 and 43, and Applicant has amended Claims 21, 22, 33, 36, and 41. Applicant has amended each of independent Claims 21 and 41 so as to more clearly distinguish the present invention, as defined by each of independent Claims 21 and 41, over the prior art. Applicant respectfully submits that the amendments to each of Claims 21, 22, 33, 36, and 41 do not contain new matter. Applicant further submits that the newly added Claims 42 and 43 do not contain new matter.

Applicant respectfully submits that the present invention, as defined by Claims 21, 22, 24, and 27-43, is patentable over the prior art.

**IA. THE PRESENT INVENTION, AS DEFINED BY CLAIMS 21, 22, 24, 27-40, AND 42-43, IS PATENTABLE OVER THE PRIOR ART:**

Applicant respectfully submits that the present invention, as defined by Claims 21, 22, 24, 27-40, and 42-43, is patentable over the prior art. Applicant respectfully submits that the present invention, as defined by independent Claim 21, is patentable over the prior art.

Applicant respectfully submits that the present invention, as defined by independent Claim 21, is patentable over Radican, Wilk, Camhi, Takizawa, and any combination of same. Applicant respectfully submits that Radican, Wilk, Camhi, Takizawa, and any combination of same, do not disclose or suggest an apparatus, comprising a shipment conveyance device, wherein the shipment conveyance device is associated with a shipment, and further wherein the shipment conveyance device is at least one of a shipping container, a pallet, and a tote, and a memory device, wherein the memory device is located in, on, or at, the shipment conveyance device, wherein information regarding the shipment is stored in the memory

device, and further wherein the information regarding the shipment includes a description of a good, product, or item, being shipped via the shipment conveyance device, and at least one of origination information, sender information, shipper information, destination information, receiver information, handling instruction information, delivery instruction information, invoice information, packing slip information, delivery time information, and payment instruction information, regarding the shipment, a global positioning device, wherein the global positioning device is located in, on, or at, the shipment conveyance device, and further wherein the global positioning device determines a position or location of the shipment conveyance device, a processing device, wherein the processing device processes at least one of information regarding the shipment and information regarding the shipment conveyance device in response to an occurrence of an event or in response to a request for information regarding the shipment or the shipment conveyance device, wherein the processing device generates a message containing information regarding the position or location of the shipment conveyance device and information regarding at least one of the occurrence of an event, a status of the shipment, a shipment temperature, and an impact or force on the shipment conveyance device, and a transmitter, wherein the

transmitter is located in, on, or at, the shipment conveyance device, wherein the transmitter transmits the message to a communication device associated with at least one of an individual or entity, a sender of the shipment, a receiver of the shipment, a carrier of the shipment, and an individual or entity authorized to receive information regarding the shipment or the shipment conveyance device, all of which features are specifically recited features of independent Claim 21.

Applicant submits that Radican, Wilk, Camhi, Takizawa, and any combination of same, do not disclose or suggest the recited apparatus which comprises the recited shipment conveyance device which is associated with a shipment and which is at least one of a shipping container, a pallet, and a tote, and the recited memory device which is located in, on, or at, the recited shipment conveyance device. Applicant respectfully submits that Radican, Wilk, Camhi, Takizawa, and any combination of same, do not disclose or suggest the recited memory device which is located in, on, or at, the recited shipment conveyance device. Applicant further submits that Radican, Wilk, Camhi, Takizawa, and any combination of same, do not disclose or suggest the recited memory device in which information regarding the shipment is stored, wherein the

recited information regarding the shipment includes a description of a good, product, or item, being shipped via the shipment conveyance device, and at least one of origination information, sender information, shipper information, destination information, receiver information, handling instruction information, delivery instruction information, invoice information, packing slip information, delivery time information, and payment instruction information, regarding the shipment.

In view of the foregoing, Applicant respectfully submits that Radican, Wilk, Camhi, Takizawa, and any combination of same, do not disclose or suggest many of the specifically recited features of independent Claim 21. Applicant further submits that Radican, Wilk, Camhi, Takizawa, and any combination of same, do not disclose or suggest all of the specifically recited features of independent Claim 21.

In view of the foregoing, Applicant respectfully submits that the present invention, as defined by independent Claim 21, is patentable over Radican, Wilk, Camhi, Takizawa, and any combination of same.

In view of the above, Applicant respectfully submits that the present invention, as defined by independent Claim 21, is patentable over the prior art. Applicant further submits that Claims 22, 24, 27-40, and 42-43, which claims depend directly from independent Claim 21, so as to include all of the limitations of independent Claim 21, are also patentable as said Claims 22, 24, 27-40, and 42-43, depend from allowable subject matter. In particular, Applicant submits that Radican, Wilk, Camhi, Takizawa, and any combination of same, do not disclose or suggest all of the specifically recited features of independent Claim 21, and, therefore, Radican, Wilk, Camhi, Takizawa, and any combination of same, do not disclose or suggest all of the features of each of dependent Claims 22, 24, 27-40, and 42-43.

Allowance of pending Claims 21, 22, 24, 27-40, and 42-43, is, therefore, respectfully requested.

**IB. THE PRESENT INVENTION, AS DEFINED BY CLAIM 41, IS PATENTABLE OVER THE PRIOR ART:**

Applicant respectfully submits that the present invention, as defined by Claim 41, is patentable over the prior art.

Applicant respectfully submits that the present invention, as defined by independent Claim 41, is patentable over Radican, Wilk, Camhi, Takizawa, and any combination of same. Applicant respectfully submits that Radican, Wilk, Camhi, Takizawa, and any combination of same, do not disclose or suggest an apparatus, comprising a shipment conveyance device, wherein the shipment conveyance device is at least one of a shipping container, a pallet, and a tote, a memory device, wherein the memory device is located in, on, or at, the shipment conveyance device, wherein information regarding a shipment is stored in the memory device, and further wherein the information regarding a shipment includes a description of a good, product, or item, being shipped via the shipment conveyance device, and at least one of origination information, sender information, shipper information, destination information, receiver information, handling instruction information, delivery instruction information, invoice information, packing slip information, delivery time information, and payment instruction information, regarding the shipment, a global positioning device, wherein the global positioning device is located in, on, or at, the shipment conveyance device, and further wherein the global positioning device determines a position or location of the shipment conveyance device, a processing device, wherein the

processing device is located in, on, or at, the shipment conveyance device, wherein the processing device processes information regarding the shipment conveyance device in response to an occurrence of an event or in response to a request for information regarding the shipment conveyance device, wherein the processing device generates a message containing information regarding the position or location of the shipment conveyance device and information regarding at least one of the occurrence of an event, a status of the shipment, a shipment temperature, and an impact or force on the shipment conveyance device, and a transmitter, wherein the transmitter is located in, on, or at, the shipment conveyance device, wherein the transmitter transmits the message to a communication device associated with at least one of an individual or entity, a sender of the shipment, a receiver of the shipment, a carrier of the shipment, and an individual or entity authorized to receive information regarding the shipment or the shipment conveyance device, all of which features are specifically recited features of independent Claim 41.

Applicant submits that Radican, Wilk, Camhi, Takizawa, and any combination of same, do not disclose or suggest the recited apparatus which comprises the recited

shipment conveyance device which is at least one of a shipping container, a pallet, and a tote, and the recited memory device which is located in, on, or at, the recited shipment conveyance device, wherein the recited information regarding a shipment is stored in the recited memory device, and further wherein the recited information regarding a shipment includes a description of a good, product, or item, being shipped via the recited shipment conveyance device, and at least one of origination information, sender information, shipper information, destination information, receiver information, handling instruction information, delivery instruction information, invoice information, packing slip information, delivery time information, and payment instruction information, regarding the shipment. Applicant respectfully submits that Radican, Wilk, Camhi, Takizawa, and any combination of same, do not disclose or suggest the recited memory device which is located in, on, or at, the recited shipment conveyance device. Applicant further submits that Radican, Wilk, Camhi, Takizawa, and any combination of same, do not disclose or suggest the recited memory device in which the recited information regarding a shipment is stored, wherein the recited information regarding a shipment includes a description of a good, product, or item, being shipped via the shipment conveyance device, and at least one of origination

information, sender information, shipper information, destination information, receiver information, handling instruction information, delivery instruction information, invoice information, packing slip information, delivery time information, and payment instruction information, regarding the shipment.

In view of the foregoing, Applicant respectfully submits that Radican, Wilk, Camhi, Takizawa, and any combination of same, do not disclose or suggest many of the specifically recited features of independent Claim 41. Applicant further submits that Radican, Wilk, Camhi, Takizawa, and any combination of same, do not disclose or suggest all of the specifically recited features of independent Claim 41.

In view of the foregoing, Applicant respectfully submits that the present invention, as defined by independent Claim 41, is patentable over Radican, Wilk, Camhi, Takizawa, and any combination of same.

In view of the above, Applicant respectfully submits that the present invention, as defined by independent Claim 41, is patentable over the prior art. Allowance of pending Claim 41 is, therefore, respectfully requested.

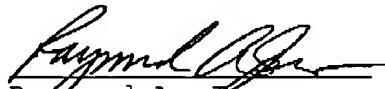
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II. CONCLUSION:

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In view of the foregoing, the application is deemed to be in condition for allowance and action to that end is respectfully requested. Allowance of pending Claims 21, 22, 24, and 27-43 is respectfully requested.

Respectfully Submitted,

  
Raymond A. Joao  
Reg. No. 35,907

Encls.: - Abstract of the Disclosure  
- Return Receipt Postcard

September 6, 2006

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